

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MOBILEMEDIA IDEAS LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 10-258-SLR

**DEFENDANT APPLE INC.'S
MOTION TO DISMISS FOR LACK OF STANDING**

Pursuant to Federal Rule of Civil Procedure 12(b)(1), Defendant Apple Inc. (“Apple”) moves to dismiss this action because Plaintiff MobileMedia Ideas LLC (“MMI”) does not possess constitutional or prudential standing to sue Apple for infringement of the Asserted Patents. Specifically, because MMI lacks the exclusionary rights required for constitutional standing, this case must be dismissed with prejudice. Alternatively, it should be dismissed with leave to amend to add parties.

Dated: March 2, 2012

/s/ Richard K. Herrmann

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[PROPOSED] ORDER

Having considered **DEFENDANT APPLE INC.'S MOTION TO DISMISS FOR LACK OF STANDING**, and all related briefing and argument,

IT IS HEREBY ORDERED this ____ day of _____, 2012 that the Motion is **GRANTED**, and this action is dismissed with prejudice.

Sue L. Robinson
United States District Judge